

Message Text

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ACTION SCSE-00

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R 191959Z AUG 76

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 4167

INFO AMEMBASSY LONDON

AMEMBASSY MADRID

AMCONSUL MARSEILLE

UNCLAS PARIS 24238

E.O. 11652: N/A

TAGS: BDIS, CPRS, SP, FR, US (HOVERMARINE CORP.)

SUBJECT: SEIZURE OF AMERICAN OWNED HOVERCRAFT AT
VALENCIA

REF: (A) STATE 202840, (B) STATE 203332, (C) MADRID 6274

1. LE MONDE, AUGUST 12, REPORTED MYSTERIOUS DEPARTURE OF
SUBJECT VESSEL FROM TOULON, BUT INCORRECTLY IDENTIFIED
VESSEL AS BRITISH-OWNED. AMCONSUL MARSEILLE HAS CONFIRMED
THAT FRENCH MARINE AUTHORITIES REGARD VESSEL DEPARTURE AS
ILLEGAL SINCE IT SAILED OUT OF FRENCH WATERS WITHOUT
NAVIGATION PAPERS.

2. LE MONDE REPORTED THAT VESSEL WAS DELIVERED TO TAG
FRANCE WITH INADEQUATE PASSENGER CAPACITY AND WITH OIL
LEAK CONSTITUTING FIRE HAZARD. FRENCH MARINE AUTHORITIES
SUBSEQUENTLY REFUSED TO ISSUE NAVIGATION PAPERS
PERMITTING SUBJECT VESSEL TO OPERATE IN FRENCH WATERS.
EARLIER HOVERMARINE VESSEL PURCHASED AND PAID FOR BY TAG
FRANCE IS PRESENTLY IN CUSTODY OF FRENCH MARINE
AUTHORITIES --- HAVING BEEN SEIZED AFTER TWO DAYS OF
COMMERCIAL SERVICE --- BECAUSE IT DID NOT MEET FRENCH
NAVIGATION STANDARDS.

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3. TAG FRANCE REFUSED PAYMENT FOR SUBJECT VESSEL.

TO PROTECT ITS INTEREST IN VESSEL (AND TO BOLSTER ITS
NEGOTIATING POSITION VIS-A-VIS HOVERMARINE FOR POST-
DELIVERY MODIFICATION OF VESSEL AND/OR CONTRACT TERMS),
TAG FRANCE ITSELF INITIATED LEGAL ACTION WITH
RESPECT TO VESSEL. FRENCH COURT ISSUED ATTACHMENT ORDER
TO SEIZE VESSEL. HOWEVER, BEFORE VESSEL COULD BE FIXED
WITH COURT PROCESS (I.E. SEAL DEMONSTRATING FRENCH
COURT'S JURISDICTION OVER VESSEL), SUBJECT VESSEL
SUDDENLY DEPARTED TOULON WITHOUT NAVIGATION PAPERS OR
OTHER DOCUMENTATION.

4. FRENCH CONSUL REQUESTED SPANISH CUSTOMS TO SEIZE
SUBJECT VESSEL THEREFORE : (1) IN AID OF FRENCH COURT
PROCESS SEIZING VESSEL PURSUANT TO CIVIL ACTION BROUGHT
BY TAG FRANCE AND (2) TO EXACT APPROPRIATE SANCTIONS
AGAINST VESSEL AND HOVERMARINE FOR VIOLATION OF FRENCH
MARINE NAVIGATION REGULATIONS.
GAMMON

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